UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

Pinero

Plaintiff,

Greiner,

VS.

Respondents.

Notice of Motion to Stay

Habeas Proceedings

Docket No. 01-CV-09991

(DLC)(DFE)

PLEASE TAKE NOTE THAT, on the attached motion papers, counsel for Petitioner will move this Court for an Order Staying habeas proceedings until Petitioner's claim that trial counsel was ineffective during plea negotiations is exhausted on the 31st day of March 2006, or as soon there after as counsel may be heard for an Order Staying habeas proceedings.

Dated: March 7, 2006 Albany, NY 12206

> Attorney for Petitioner Damond J. Carter, Esq.

BY ECF & FIRST CLASS MAIL

Mary Jo. L. Blanchard, A.D.A. cc: Appeals Bureau Bronx County District Attorney 198 East 161st Street Bronx, NY 10451